

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹
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ORDER REGARDING PROCEDURES FOR HEARING ON FEBRUARY 1, 2021

The Court will conduct a hearing on certain omnibus claim objections in the above-captioned cases (the “Hearing”) beginning at **9:30 a.m. (Atlantic Standard Time) (8:30 a.m. EST) on February 1, 2021.**² In light of the ongoing COVID-19 public health crisis, the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² For the avoidance of doubt, paragraphs 1 and 3 of this Order do not apply to the pro se claimants who appear at the Hearing pursuant to the Court’s *Order Regarding Adjourned Omnibus Objections to Claims* (Docket Entry No. 15713 in Case No. 17-3283, the “Adjournment Order”).

Court will conduct the Hearing telephonically via CourtSolutions. The Hearing shall be governed by the following procedures.

Registration for Speaking and Listen-In Lines for Attorneys; Listen-In Facilities for Members of Public and Press

1. Attorneys who have entered an appearance in the Title III proceedings may register to participate as speakers or listen-in on the proceedings by telephone. Such attorneys must register with CourtSolutions at www.court-solutions.com no later than **January 27, 2021, at 5:00 p.m. (Atlantic Standard Time)** and pay the fee established by CourtSolutions. In order to promote the efficient conduct of the proceedings, the number of speaking participation lines shall be limited. The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”) shall be limited to three such speaking lines, and each other party in interest shall be limited to two such speaking lines. There will be no limitation on the registration of listen-in lines for attorneys who have entered appearances in these proceedings.

2. In order to listen-in on the proceedings by telephone, members of the public and press should dial the toll-free number (888) 363-4749, and enter the access code (7214978) and security code (5333) when prompted. The access lines for press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited. Although Judicial Conference policy generally prohibits the broadcasting of proceedings in federal trial courts, the Executive Committee of the Judicial Conference has approved a limited temporary exception to the policy to allow a judge to authorize the use of teleconference technology to provide the public and the press with audio access to court proceedings while public access to federal courthouses is restricted due to the health and safety concerns presented by the COVID-19 pandemic.

Order and Number of Speakers; Telephone Etiquette

3. For each matter scheduled to be heard at the Hearing, counsel who intend to speak must jointly file an informative motion by **January 27, 2021, at 12:00 p.m. (Atlantic Standard Time)** identifying (a) the relevant claim objection, (b) the parties who intend to appear and speak in connection with the relevant claim objection or response, (c) the names of no more than two individuals who intend to speak on behalf of each party in connection with the relevant claim objection or response, (d) the order in which the parties to the relevant matter shall present argument, and (e) time allocations for each speaker. **All counsel who intend to speak in connection with a claim objection or response must register with CourtSolutions and participate in the Hearing by telephone.**

4. During the call, the individuals who are allocated speaking lines are directed to observe the following rules:

- a. Use a landline whenever possible.
- b. Use a handset rather than a speakerphone.
- c. Identify yourself if asked to do so.
- d. Identify yourself by name each time you speak.
- e. Mute yourself when you are not speaking to eliminate background noise.
- f. Spell proper names.

5. All persons granted remote access to the proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media

credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

Pre-Hearing Deadlines

6. An agenda outlining the matters to be addressed and the projected timetable will be filed by Debtors' counsel by **January 28, 2021**, in accordance with the Thirteenth Amended Case Management Procedures. (See Docket Entry No. 13512-1, § III.M.) The agenda shall also include the information filed pursuant to Paragraph 3, supra, and the following information: (a) the relevant claim objection(s) and the names of the individuals presenting responses to the claim objection(s) for each time slot, (b) the attorney presenting the claim objection(s) for each time slot, and (c) a time allocation (taking into account any anticipated need for interpretation) for each matter to be heard. Debtors' counsel shall file a revised agenda if circumstances have changed or if requested to do so by the Court. Debtors' counsel shall email a proposed agenda, including preliminary time allocations, to the Court by **January 27, 2021, at 12:00 p.m. (Atlantic Standard Time)**.

7. The Debtors must submit an electronic hearing binder to the Court to swaindprcorresp@nysd.uscourts.gov by **12:00 p.m. (Atlantic Standard Time) on January 29, 2021**. The binder shall consist of one consolidated, bookmarked PDF containing CM/ECF-

stamped courtesy copies of all of the pleadings relevant to the Hearing. The bookmarks must be placed so as to provide access to the pleadings for each of the matters to be heard.

8. Debtors' counsel is directed to provide a copy of this Order to any counsel that has not filed a notice of appearance in the Title III cases who represents a claimant whose claim will be the subject of a claim objection prosecuted at the Hearing.

SO ORDERED.

Dated: January 25, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge